

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion is respectfully requested.

Claims 1- 28 are currently pending and Claims 1-6, 9, 10, 14-16, 18, 19, 22, 23, 27 and 28 are amended.

In the outstanding Office Action the specification was objected to; Claims 10 and 18 were objected to; Claims 3, 14, 16, 27 and 28 were rejected under 35 U.S.C. §112, second paragraph, for not particularly pointing out and distinctly claiming the subject matter regarded as the invention; Claims 1-4, 7, 10-17, 20 and 23-28 were rejected under 35 U.S.C. §103(a) as unpatentable over Takeo et al. (U.S. Patent Publication No. 2002/0026538) in view of Kenner (U.S. Patent No. 6,314,565) and further in view of Tominaga (U.S. Patent Publication No.2002/0015180); Claims 5, 6, 18 and 19 were rejected under 35 U.S. C. §103(a) as unpatentable over Takeo (U.S. Patent Publication No. 2002/0026538) in view of Kenner (U.S. Patent No. 6,314,565), further in view of Tominaga (U.S. Patent Publication No. 2002/0015180) and further in view of Birkholz (U.S. Patent Publication No.2003/0023963); Claims 8 and 21 were rejected under 35 U.S.C. §103(a) as unpatentable over Takeo et al. (U.S. Patent Publication No.2002/0026538), in view of Kenner (U.S. Patent No. 6,314,565) and further in view of Tominaga (U.S. Patent Publication No. 2002/0015180); and Claims 9 and 22 were rejected under 35 U.S.C. §103(a) as unpatentable over Takeo (U.S. Patent Publication No. 2002/0026538) in view of Kenner (U.S. Patent No. 6,314,565), further in view of Tominaga (U.S. Patent Publication No. 2002/0015180) and further in view of Pham et al. (U.S. Patent Publication No. 2001/0044857) and “The JAVA Virtual Machine Specification,” by Tim Lindholm and Frank Yelling.

With respect to the objections to the Specification, the paragraph beginning on page 9, line 4 has been amended to spell out the abbreviation for MFP as multi function printer. The

Office Action objected to the abbreviation of MFEI in the paragraph beginning on page 9, line 4. Applicant respectfully submits that MFEI does not appear anywhere in the Specification as filed. MFEI does appear in the published version of the Specification as the result of an error in the publication process. Applicant respectfully requests that an appropriate correction be made.

With respect to the objection of the use of the trademark JAVA in the specification, Applicant has adopted the suggestions stated in the Office Action and JAVA is capitalized throughout the specification and generic terminology is added.

With respect to the objections of Claims 10 and 18, Claim 10 is amended to change “an another” to “another.” The Office Action states that Claim 18 contains “,,” at the end of the fifth line. Applicant respectfully submits that Claim 18, as filed, did not contain “,,”. The published version of Claim 18 shows “,,” because of an error resulting from the publication process. Applicant respectfully requests that an appropriate correction be made.

In response to the rejection of Claims 3, 14, 16, 27 and 28 under 35 U.S.C. §112, Claims 3, 14, 16, 27 and 28 are amended, without adding new matter, to address the deficiencies identified in the outstanding Office Action.

In particular, Claim 3 is amended to change “control unit controls so that” to “control unit specifies minimum resources.” A similar amendment was made to Claim 16. Claim 28 was rejected for lacking antecedent basis, and an appropriate correction is made. Support for the amendment to Claims 3 and 16 is found in the Specification at page 25 lines 18-21, for example, and therefore, no new matter is added. Claims 14, 27 and 28 are amended to change “having hardware one or more of resources of a display section” to “having one or more hardware resources of a display section” as suggested by the Office Action.

Therefore, Applicant respectfully submits that amended Claims 3, 14, 16, 27 and 28 comply with the requirements of 35 U.S.C. §112 and are in condition for allowance.

With respect to the rejections of Claims 1-28 under 35 U.S.C. § 103(a) as unpatentable over combinations of references that include at least one of Takeo et al., Tominaga and Birkholz et al., Applicant notes that Takeo et al. has a filing date of July 5, 2001, Tominaga has a filing date of May 16, 2001 and Birkholz et al. has a filing date of July 25 2001, all of which are later than the foreign priority date of March 28, 2001. Therefore, to perfect priority and to overcome all the 103 rejections, enclosed is an English translation of the original Japanese application 2001-094342, filed on March 28, 2001 and a statement that the translation of the certified copy is accurate. Consequently, Takeo et al., Tominaga and Birkholz et al. are not prior art.

Accordingly, it is respectfully submitted that independent Claims 1, 14, 27 and 28 and each of the claims depending therefrom are allowable.

Applicant respectfully requests that the Information Disclosure Statement filed on December 26, 2001 be acknowledged on the record and that form 1449, with the appropriate initials, be placed in the file wrapper.

Consequently, in view of the above amendments and comments, it is respectfully submitted that the outstanding rejection is traversed and that the pending claims are in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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